

ESTTA Tracking number: **ESTTA425600**

Filing date: **08/17/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91190826
Party	Plaintiff V&S Vin & Sprit Aktiebolag
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Submission	Stipulated/Consent Motion to Extend
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Signature	/Joanne Ludovici-Lint/
Date	08/17/2011
Attachments	Energy Shot - Motion for 60-day EOT (8.17.11).pdf ( 4 pages )(187558 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

V&S VIN & SPRIT AKTIEBOLAG,  
formerly known as  
V&S VIN & SPRIT AKTIEBOLAG (publ),

Opposer,

v.

DR DISTRIBUTORS, LLC,

Applicant.

Opposition No. 91190826

Serial No: 77/543,333

Mark: ABSOLUTE ENERGY SHOT

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MOTION FOR EXTENSION OF  
DISCOVERY PERIOD WITH CONSENT**

Dear Sir:

Opposer hereby respectfully moves for extension of all discovery and trial periods in the above-referenced proceeding by sixty (60) days. Settlement between the parties is progressing such that the Board should grant Opposer's consented motion.

Further to Opposer's stipulated extension request filed on June 20, 2011, the parties anticipated that a formal settlement agreement would be able to be executed within 60-120 days of such filing. The Board granted an extension of 60 days. The parties continue to believe that they should be able to finalize settlement within the remaining 60 days of that anticipated 60-120 day period.

The parties have made further progress toward a final settlement since the last extension of time was granted, and this further request is made for good cause. On July 27, 2011, counsel for Opposer circulated a proposed written settlement agreement simultaneously to Opposer and Applicant's counsel for review and comment. Opposer is located in Sweden and returned from a month-long summer holiday period at the beginning of August. On August 9, 2011, counsel for both parties spoke via telephone in light of this August 17 Initial Disclosures deadline. Applicant's counsel confirmed receipt of the settlement agreement and indicated that it is still being reviewed. Counsel for both parties expressed their intention to bring this matter to a speedy resolution and remain optimistic that a formal settlement agreement can be executed in 60 days.

Initial disclosures are currently due on August 17, 2011. In light of the foregoing, Opposer respectfully requests that such date be extended until **October 16, 2011** and that all other dates be reset as follows:

Initial Disclosures Due:	10/16/2011
Expert Disclosures Due:	02/13/2012
Discovery Period to Close:	03/14/2012
Plaintiff Pretrial Disclosures:	04/28/2012
Plaintiff's 30-day Trial Period Ends:	06/12/2012
Defendant's Pretrial Disclosures:	06/27/2012
Defendant's 30-day Trial Period ends:	08/11/2012
Plaintiff's Rebuttal Disclosures:	08/26/2012
Plaintiff's 15-day Rebuttal Period Ends:	09/25/2012

While this request is being filed by counsel for Opposer, counsel for Applicant, Charles Guarino, consented to and indeed suggested this extension via telephone on August 9, 2011.

Respectfully submitted,

V&S VIN & SPRIT AKTIEBOLAG,  
formerly known as  
V&S VIN & SPRIT AKTIEBOLAG (publ)

Dated: August 17, 2011

By: /Joanne Ludovici-Lint/  
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## **CERTIFICATE OF SERVICE**

Opposer V&S VIN & SPRIT AKTIEBOLAG, formerly known as V&S VIN & SPRIT AKTIEBOLAG (publ), hereby certifies that a copy of this paper has been served upon counsel for DR DISTRIBUTORS, LLC via email, as agreed by the parties, on this 17th day of August, 2011, at the following email address:

cguarino@ndslaw.com

/Joanne Ludovici-Lint/  
Attorney for Opposer